

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA


THOMAS J. KALISZEWSKI,	)	
	)	Civil Action No. 03 - 216E
Plaintiff,	)	
v.	)	Judge Sean M. McLaughlin /
	)	Magistrate Judge Lisa Pupo Lenihan
SHEET METAL WORKERS NATIONAL	)	
PENSION FUND, et al,	)	
	)	
Defendants.	)	

**ORDER**

Pending before the Court is a Motion for Hearing filed contemporaneously with the Counterclaim Motion for Summary Judgment (Doc. No. 31). The Court has issued a Report and Recommendation on the outstanding summary judgment motion on this date, rendering the need for any oral argument on the issue moot. Therefore,

**IT IS ORDERED** this 19th day of July, 2005, that the Motion for Hearing is **DENIED** as moot.

**IT IS FURTHER ORDERED** that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

  
\_\_\_\_\_  
Lisa Pupo Lenihan  
United States Magistrate Judge

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